



EASEMENTS INSTRUCTIONS AND INFORMATION

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Section 100

Introduction:

This document was created to assist design consultants working on privately funded projects for Developers, who may be required or need to submit or dedicate easements by separate document. There are several different types of easements used by the City of Kansas City, Missouri. These easements are precise and created for a certain use. If you have any confusion about the use of the proper easement form for your situation after you have gone through this document, call the assigned Land Development Division Plan Reviewer for your project if you have been assigned one. If you don't have an assigned Plan Reviewer for your project, call the Engineer of the Week at (816) 513-1500 (Option 1). He / She will help you decide which easement form to use for your situation.

The Department of Public Works, City Planning and Development, and LAW created and approved all easements available in this document by reference. These documents can be downloaded and used free of charge. However, please note that all document herein must be accepted by the City with the Plat, or by separate acceptance process.

General Instructions (what, when, how and which)

What Is an Easement?

An easement is commonly defined as a non-possessory interest in another person's land. The non-possessory nature of an easement is one of its primary characteristics. An easement is a property interest that allows the holder of the easement (usually the City) to use property that it does not own or possess for a specific purpose. The easement does not allow the easement holder (the City) to occupy the land, or to exclude others from the land, unless the use interferes with the intended purpose of the easement.

Each easement imposes certain restrictions on the Grantor. For instance, the "Standard Sewer Easement" restriction is "to keep the easement free from additional depth of overburden, buildings, and any other structure or obstruction (except sidewalks, roadways pavement, grass, shrubs, fences, or curbs), which will interfere with the GRANTEE in entering upon said adjacent land and easement for the purpose of laying, constructing, reconstructing, operating, repairing and maintaining such sewerage improvements and appurtenances." The restrictions vary from one easement to another based on the type of easement.

Both, the Grantor and the Grantee must adhere to the easement restriction after the easement is created, executed, recorded, and accepted by the City.

Self releasing easements

Some easements such as the temporary grading easement may have a self releasing statement or may terminate after a certain period of time (after two years from when the work is accepted by the City or from when the next final plat ordinance is accepted etc.). Non self releasing easement can be released with a final plat ordinance or a separate process, contact your Reviewer for additional instructions on appropriate method, subject to approval by Supervisor and Land Development Division Manager.

When an easement is required?

Scenario 1 (When Platting is required / involved):

Scenario 1A. Some of the easements can be dedicated by showing them and labeling them on the plat and you don't need to submit the executed and recorded document (i.e. storm drainage easement). The required easement language is then dedicated on the plat.

Scenario 1B. Some of the easements are to be dedicated by separate document in addition to depicting them and labeling them on the plat; and you need to submit the executed and recorded document (i.e. BMP easement, which has already been executed, notarized, and recorded) and is accepted by the City via the plat or by separate process.

To find out if each easement belongs to Scenario 1A or Scenario 1B refer to Q & A section for each easement.

Scenario 2. (When Platting is not required / not involved or when the easement is offsite):

The executed and recorded easement shall be submitted for separate acceptance process at the time of initial submittal of the proposed infrastructure.

How to create an easement?

1. Click on the hyperlink below for the easement you wish to download.
2. Save the document to your hard drive.
3. Fill in the grantor name (the grantor name could be an individual or a corporation).
4. Fill in the county name.
5. Insert the legal (the metes and bounds).
6. Insert the file number if it is required (if the file number is required and you do not have it, call the Plan Reviewer for your project and ask him for the file number) do not record the document without the file number.
7. Attach an 8 ½" X 11" "Exhibit A" that includes the legal in legible quality.
8. Attach an 8 ½" X 11" "Exhibit B" that includes the graphical representation for the legal including azimuths, distances, dimensions in legible quality.
9. Make sure to include a cover sheet for each document and make sure this cover sheet is prepared according to the County (Jackson, Platte, Clay) requirements.
10. Have the grantor sign and notarize the document (there are two signature blocks included with each easement document, one for an individual and the other for a corporation make sure your client is signing appropriate signature block and you are deleting the other one), do not use both signature blocks.
11. If the easement is being signed by the president of a corporation, make sure to stamp each easement with the corporation seal or write no corporation seal when the corporation seal doesn't exist.

Which easement do you need to use?

For instance, storm drainage / storm sewer easement, use this storm drainage easement for public storm sewers that are being constructed as part of your project and must be conveyed to the City by

separate easement form because the facility is outside the boundaries of the plat or the project does not involve plating.

Go below to the easement of your interest and it will tell you in details the use for it, this will help you decide which easement to use.

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Releasing Easement/s:

Scenario 1 (releasing an easement for a live sewer line / in operation):

- a. Submit a letter requesting the release of the easement/s, and state why you want the easement to be released. Concurrently submit the relocation / construction plans for the proposed line for review and permitting.
- b. Pay the processing fee of \$112.00 for each easement to be released.
- c. Pay the review fee of 3.65% for the relocation / construction plans.
- d. Pay the inspection (permitting) fee of 4.75%. This permit must be bonded and issued before the process can continue.
- e. If you have not submitted the recording information (the document number, the book and page) for the easement to be released in full, you need to do so now.
- f. If you are requesting the release of portion of an easement. In addition, to item “e” above, provide in writing and in WORD format (for easy copying and pasting) the legal description for the portion to be released. (E-mail the partial legal description in WORD format to the Plan Reviewer assigned to perform the release, if you do not know the Plan Reviewer assigned to perform the release, submit the partial legal description in WORD format on a disk).
- g. The Plan Reviewer assigned to perform the release will prepare the release ordinance and will forward it to the City Council for the first, second and third readings. After the release ordinance is passed it takes ten (10) days to be effective. Officially the easement release process is complete at the end of the ten (10) days.

Note: This scenario takes about six weeks to be completed provided all submittals are made on time. See also Policies Master for [Policy and Procedure to Release an Easement](#)

Scenario 2 (releasing an easement for a sewer line that does not exist / paper easement / non-operational sewer line):

- a. Submit a letter requesting the release of the easement/s, and state why you want the easement to be released.
- b. Pay the processing fee of \$112.00 for each easement to be released.
- c. If you have not submitted the recording information (the document number, the book and page) for the easement to be released in full, you need to do so now.

- d. If you are requesting the release of portion of an easement. In addition, to item “c” above, provide in writing and in WORD format (for easy copying and pasting) the legal description for the portion to be released. (E-mail the partial legal description in WORD format to the Plan Reviewer assigned to perform the release, if you do not know the Plan Reviewer assigned to perform the release, submit the partial legal description in WORD format on a disk).
- e. The Plan Reviewer assigned to perform the release will prepare the release ordinance and will forward it to the City Council for the first, second and third readings. After the release ordinance is passed it takes ten (10) days to be effective. Officially the easement release process is complete at the end of the ten (10) days.

Notes:

1. This scenario takes about six weeks to be completed provided all submittals are made on time.
2. If you are requesting the release of a utility easement, submit along with the release request letter, the utility release forms signed by the respective utility companies, without the signed forms the release can’t move forward.

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General Warranty Deed

A general warranty deed is used by an entity to give the City new right-of-way for public street use when no plating is involved. If the new right-of-way is no longer necessary, the City will return it to the same entity.

Frequently asked question regarding the general warranty deed:

Q: Are there any other document that must be attached to the executed and recorded general warranty deed?

A: Yes, the following documents must be attached to the executed and recorded general warranty deed:

1. An ownership certificate or commitment for title insurance showing ownership, any encumbrances, and a tax report and to show any easements or right-of- ways and any existing deeds of trusts.
2. If any deed of trusts exists, a partial release of the deed of trusts must be submitted. After the ordinance accepting the warranty deed is passed, the original deed of trust must accompany the partial release before it can be recorded.
3. If any private utility company, individual or corporation has an easement or right-of-way over any portion of the property to be dedicated for right-of-way, a subordination agreement or disclaimer must be submitted.
4. State, county and city real estate taxes must be paid for current and prior years. If any special assessment taxes exists, they must be paid current, apportioned and paid for all

property being dedicated for street purposes and all of the above must be reflected in the report described in paragraph 1 or, as an alternative, certified tax receipts can be submitted.

5. On the deed, after the legal description of the property to be dedicated, the following clause is to be inserted:

For street purposes as a part of (insert street name) together with easements in remaining lands on the abutting property along and adjacent, to said street, where required for the location, construction, and maintenance of an embankment or for sloping the sides of cuts back to construct and maintain said street at the established grade; also, said parties of the first part are hereby waiving damages, if any, by reason of the grading of said street.

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Easement Forms

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Storm Drainage Easement

This easement is used by an entity to give the City storm sewer easement, use this storm drainage easement for public storm sewers that are being constructed as part of your project and must be conveyed to the City by separate easement form because the facility is outside the boundaries of the plat or the project does not involve plating.

Frequently asked questions regarding the storm drainage easement:

Q: Can I use this document for sanitary sewer easement?

A: No, the document used for sanitary sewer easement is called "[Standard Sewer Easement](#)".

Q: I have a tract of land and I am in the process of plating it and the proposed public storm sewer falls within the limits of the plat and doesn't involve relocation of an existing storm sewer line within the plat limits, do I need to use this form?

A: No, all you need to do is to show the easement/s on the plat MYLARS and you need to label it as "D/E."

Note: in case the proposed public storm sewer line falls within the limits of the plat and does involve relocation of an existing storm sewer line within the plat, a storm drainage easement document maybe required (using the storm drainage easement document in this case must be as a last resort), contact the plan reviewer for the project to discuss and agree how this issue will be handled.

Q: I have a tract of land and I am in the process of plating it and the storm sewer is offsite but it abutts the plat, do I need to use this form to process this offsite easement?

A: Yes, the executed and recorded easement documents could be accepted in one of two ways with the final plat ordinance or with LDD latest process. In case of acceptance of the offsite easement with the final plat ordinance, you need to do the following: Show the recording information on the plat MYLARS, pass a copy of the recorded easement to the Plan Reviewer before the final plat ordinance is drafted and the Plan Reviewer will make sure the easement recording information are

indicated in the final plat ordinance. In case of acceptance of the offsite easement with LDD latest process, you need to do the following, pass a copy of the recorded easement to the Plan Reviewer; do not show the recording information on the plat MYLARS and the Plan Reviewer will handle the rest. Note: The Applicant must coordinate with the Plan Reviewer which easement/s and easement releases (do not show these easement releases on the plat MYLARS) will be processed with the final plat ordinance and which easement/s and easement releases (if the easement release ordinance is going after the final plat ordinance, show the existing easement on the plat (MYLARS) will be processed with LDD process at an early stage of the project and before the final plat ordinance is drafted.

Q: How wide should the easement be for storm sewer?

A: The minimum width is 15' wide (seven and a half feet from the centerline in each direction), or the outside width of the pipe or conveyance structure plus 10 feet; whichever is greater; however, if the storm sewer line is deep, the Designer must take in consideration the depth of the storm sewer line, the diameter of the storm sewer line to decide how wide the easement is. In addition, provisions shall be made for access to maintain the entire storm sewer system. The types and sizes of equipment used for sewer maintenance shall be considered for both manhole location and access easements.

Q: How wide should the easement be for riprap areas or other terminus structures?

A: The width of the rip rap easement must be 10' in all directions beyond the edge of the riprap blanket in all directions and could be more if the Designer sees an additional area is needed so that the riprap maintenance can be performed with ease. In addition, provisions shall be made for access to maintain the entire storm sewer system. The types and sizes of equipment used for sewer maintenance shall be considered for both manhole location and access easements.

Q: I have a tract of land and I am in the process of plating it and the proposed storm sewer falls within the limits of the plat, and on top of the proposed storm sewer, I have the 1% storm event over flow swale, do I need to fill the form for the Conveyance of Easement for Surface Drainage?

A: Yes, the [Conveyance of Easement for Surface Drainage](#) document acts as an agreement to protect the swale for the 1% (100 year) storm event over flow and you need to label the easement on the MYLARS with "D/E" and "S.D.E.". The S.D.E. could be wider than "D/E".

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[Utility Easement](#)

This easement is used by an entity to give the City any or all of the following, water, gas, electricity, sewerage, telephone, cable TV, drainage, underground conduits, pad mounted transformers, service pedestals, poles, pipes, ducts and wires.

Frequently asked questions regarding the standard utility easement:

Q: I have a tract of land and I am in the process of plating it and the proposed utility easement falls within the limits of the plat and doesn't involve relocation of any existing utility line within the plat, do I need to use this form?

A: No, all you need to do is to show the easement/s on the plat MYLARS and you need to label it as "U/E".

Note: in case the proposed utility line falls within the limits of the plat and does involve relocation of an existing utility line within the plat, a utility easement document maybe required (using the utility easement document in this case must be as a last resort), contact the plan reviewer for the project to discuss and agree how this issue will be handled.

Q: I have a tract of land and I am in the process of plating it and the utility easement is offsite but it abutts the plat, do I need to use this form?

A: Yes, the executed and recorded easement documents could be accepted in one of two ways with the final plat ordinance or with LDD latest process. In case of acceptance of the offsite utility easement with the final plat ordinance, you need to do the following: Show the recording information on the plat MYLARS, pass a copy of the recorded easement to the Plan Reviewer before the final plat ordinance is drafted and the Plan Reviewer will make sure the easement recording information are indicated in the final plat ordinance. In case of acceptance of the offsite utility easement with LDD latest process, you need to do the following, pass a copy of the recorded easement to the Plan Reviewer; do not show the recording information on the plat MYLARS and the Plan Reviewer will handle the rest. Note: The Applicant must coordinate with the Plan Reviewer which easement/s and easement releases (do not show these easement releases on the plat MYLARS) will be processed with the final plat ordinance and which easement/s and easement releases (if the easement release ordinance is going after the final plat ordinance, show the existing easement on the plat (MYLARS) will be processed with LDD process at an early stage of the project and before the final plat ordinance is drafted.

Q: How wide should the utility easement be?

A: The minimum width is 15' wide" seven and a half feet from the centerline in each direction"; however, if the utilities are deep, the Designer must take in consideration the depth of the utilities to decide how wide the easement is.

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Sanitary Sewer Easement

This easement is used by an entity to give the City sanitary sewer easement, use this sanitary sewer easement for public sanitary sewers that are being constructed as part of your project and must be conveyed to the City by separate easement form because the facility is outside the boundaries of the plat or the project does not involve plating.

Frequently asked questions regarding the standard sewer easement:

Q: Can I use this document for storm sewer easement?

A: No, the document used for storm sewer easement is called “Storm Drainage Easement”.

Q: I have a tract of land and I am in the process of plating it and the proposed public sanitary sewer line falls within the limits of the plat and doesn't involve relocation of an existing sanitary sewer line within the plat, do I need to use this form?

A: No, all you need to do is to show the easement/s on the plat MYLARS and you need to label it as “S/E”.

Note: in case the proposed public sanitary sewer line falls within the limits of the plat and does involve relocation of an existing sanitary sewer line within the plat, a standard sewer easement document maybe required (using the standard sewer easement document in this case must be as a last resort), contact the plan reviewer for the project to discuss and agree how this issue will be handled.

Q: I have a tract of land and I am in the process of plating it and the sanitary sewer is offsite but it abutts the plat, do I need to use this form to process this offsite easement?

A: Yes, the executed and recorded easement documents could be accepted in one of two ways with the final plat ordinance or with LDD latest process. In case of acceptance of the offsite sanitary sewer easement with the final plat ordinance, you need to do the following: Show the recording information on the plat MYLARS, pass a copy of the recorded easement to the Plan Reviewer before the final plat ordinance is drafted and the Plan Reviewer will make sure the easement recording information are indicated in the final plat ordinance. In case of acceptance of the offsite sanitary sewer easement with LDD latest process, you need to do the following, pass a copy of the recorded easement to the Plan Reviewer; do not show the recording information on the plat MYLARS and the Plan Reviewer will handle the rest. Note: The Applicant must coordinate with the Plan Reviewer which easement/s and easement releases (do not show these easement releases on the plat MYLARS) will be processed with the final plat ordinance and which easement/s and easement releases (if the easement release ordinance is going after the final plat ordinance, show the existing easement on the plat (MYLARS) will be processed with LDD process at an early stage of the project and before the final plat ordinance is drafted.

Q: How wide should the easement be for sanitary sewer?

A: The minimum width is 10' wide "five feet from the centerline in each direction"; however, if the sanitary sewer line is deep, the Designer must take in consideration the depth of the sanitary sewer line, the diameter of the sanitary sewer line to decide how wide the easement is. In addition, provisions shall be made for access to maintain the entire sanitary sewer system. The types and sizes of equipment used for sewer maintenance shall be considered for both manhole location and access easements.

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Temporary Construction Easement

This easement is used by an entity to give the City a temporary easement for grading and sloping, construction of driveway and sidewalk pavements, removal and replacement of fencing, removal of

trees and shrubbery, utility construction work, the storage of materials, the operation of equipment, and the movement of a working force.

Note: This easement has a five year termination limit.

Frequently asked questions regarding the temporary construction easement:

Q: How can I process the temporary construction easement?

A: The executed and recorded easement documents could be accepted in one of two ways with the final plat ordinance or with LDD latest process. In case of acceptance of the temporary construction easement with the final plat ordinance, you need to do the following: Do not show the recording information on the plat MYLARS (because this easement is temporary), pass a copy of the recorded easement to the Plan Reviewer before the final plat ordinance is drafted and the Plan Reviewer will make sure the easement recording information are indicated in the final plat ordinance. In case of acceptance of temporary construction easement with LDD latest process, you need to do the following, pass a copy of the recorded easement to the Plan Reviewer; do not show the recording information on the plat MYLARS and the Plan Reviewer will handle the rest. Note: The Applicant must coordinate with the Plan Reviewer which easement/s and easement releases (do not show these easement releases on the plat MYLARS) will be processed with the final plat ordinance and which easement/s and easement releases (if the easement release ordinance is going after the final plat ordinance, show the existing easement on the plat (MYLARS) will be processed with LDD process at an early stage of the project and before the final plat ordinance is drafted.

Q: How wide should the temporary construction easement be?

A: The Designer must decide the width of the temporary construction easement to ensure that the project will be constructed with relative ease.

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Temporary Easement for Access

This easement is used by an entity to give the City a temporary easement for the operation of equipment, and the movement of a working force.

Note: This easement has a five year termination limit.

Frequently asked questions regarding the temporary access easement:

Q: How can I process the temporary access easement?

A: The executed and recorded easement documents could be accepted in one of two ways with the final plat ordinance or with LDD latest process. In case of acceptance of the temporary access easement with the final plat ordinance, you need to do the following: Do not show the recording information on the plat MYLARS (because this easement is temporary), pass a copy of the recorded easement to the Plan Reviewer before the final plat ordinance is drafted and the Plan Reviewer will

make sure the easement recording information are indicated in the final plat ordinance. In case of acceptance of temporary access easement with LDD latest process, you need to do the following, pass a copy of the recorded easement to the Plan Reviewer; do not show the recording information on the plat MYLARS and the Plan Reviewer will handle the rest. Note: The Applicant must coordinate with the Plan Reviewer which easement/s and easement releases (do not show these easement releases on the plat MYLARS) will be processed with the final plat ordinance and which easement/s and easement releases (if the easement release ordinance is going after the final plat ordinance, show the existing easement on the plat (MYLARS) will be processed with LDD process at an early stage of the project and before the final plat ordinance is drafted.

Q: How wide should the temporary access easement be?

A: The Designer must decide the width of the temporary access easement to ensure that the project will be built with relative ease.

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Retaining Wall Easement

This easement is used by an entity to grant the City to maintain and repair of a retaining wall adjacent to the road right-of-way.

Frequently asked question on retaining wall easement:

Q: I have a tract of land and I am in the process of plating it and the retaining wall easement is offsite but it abutts the plat, do I need to use this form to process this retaining wall easement?

A: Yes, the executed and recorded easement documents could be accepted in one of two ways with the final plat ordinance or with LDD latest process. In case of acceptance of the Retaining wall easement with the final plat ordinance, you need to do the following: Show the recording information on the plat MYLARS pass a copy of the recorded easement to the Plan Reviewer before the final plat ordinance is drafted and the Plan Reviewer will make sure the easement recording information are indicated in the final plat ordinance. In case of acceptance of the Retaining wall easement with LDD latest process, you need to do the following, pass a copy of the recorded easement to the Plan Reviewer; do not show the recording information on the plat MYLARS and the Plan Reviewer will handle the rest. Note: The Applicant must coordinate with the Plan Reviewer which easement/s and easement releases (do not show these easement releases on the plat MYLARS) will be processed with the final plat ordinance and which easement/s and easement releases (if the easement release ordinance is going after the final plat ordinance, show the existing easement on the plat (MYLARS) will be processed with LDD process at an early stage of the project and before the final plat ordinance is drafted.

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Grading Easement

This easement is used by an entity to grant the City the right to change the grade of the land and to establish slopes and cutbacks adjacent to the road right-of-way and to keep and maintain the slope and cutbacks adjacent to the citizen property.

Frequently asked question grading easement:

Q: I have a tract of land and I am in the process of plating it and the grading easement is offsite but it abutts the plat, do I need to use this form to process this grading easement?

A: Yes, the executed and recorded easement documents could be accepted in one of two ways with the final plat ordinance or with LDD latest process. In case of acceptance of the grading easement with the final plat ordinance, you need to do the following: Show the recording information on the plat MYLARS, pass a copy of the recorded easement to the Plan Reviewer before the final plat ordinance is drafted and the Plan Reviewer will make sure the easement recording information are indicated in the final plat ordinance. In case of acceptance of the grading easement with LDD latest process, you need to do the following, pass a copy of the recorded easement to the Plan Reviewer; do not show the recording information on the plat MYLARS and the Plan Reviewer will handle the rest. Note: The Applicant must coordinate with the Plan Reviewer which easement/s and easement releases (do not show these easement releases on the plat MYLARS) will be processed with the final plat ordinance and which easement/s and easement releases (if the easement release ordinance is going after the final plat ordinance, show the existing easement on the plat (MYLARS) will be processed with LDD process at an early stage of the project and before the final plat ordinance is drafted.

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Grading consent

This grading consent is used by an entity to consent to the grading of (i.e. NE 92nd Street) to the presently established elevations or the elevations to be established or reestablished by the Council of Kansas City, as shown on the plans on file at the City of Kansas City, Missouri.

Frequently asked question regarding the grading consent:

Q: I have a tract of land and I am in the process of plating it and the grading is offsite but it abutts the plat, and I am going to change the grades according to the approved plans, do I need to use the grading consent form before performing the grading?

A: Yes, the executed and recorded grading consent documents could be accepted in one of two ways with the final plat ordinance or with LDD latest process. In case of acceptance of the grading consent with the final plat ordinance, you need to do the following: Show the recording information on the plat MYLARS, pass a copy of the recorded grading consent form to the Plan Reviewer before the final plat ordinance is drafted and the Plan Reviewer will make sure the easement

recording information are indicated in the final plat ordinance. In case of acceptance of the grading consent with LDD latest process, you need to do the following, pass a copy of the recorded easement to the Plan Reviewer; do not show the recording information on the plat MYLARS and the Plan Reviewer will handle the rest. Note: The Applicant must coordinate with the Plan Reviewer which easement/s and easement releases (do not show these easement releases on the plat MYLARS) will be processed with the final plat ordinance and which easement/s and easement releases (if the easement release ordinance is going after the final plat ordinance, show the existing easement on the plat (MYLARS) will be processed with LDD process at an early stage of the project and before the final plat ordinance is drafted.

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Conveyance of Easement for Pedestrian Right of Way

This easement is used by an entity to grant a pedestrian right-of-way easement to the City when the public sidewalk is located on the private property.

Frequently asked questions on pedestrian right of way easement:

Q: I have a plated piece of land and I am constructing a building, including a public sidewalk located on my private property due to some constraints. Do I need to use this document?

A: Yes, this document is made for this situation.

Q: I have a tract of land and I am in the process of plating it and the pedestrian right of way falls within the proposed public right of way, do I need to use this form?

A: No.

Q: I have a tract of land and I am in the process of plating it and the pedestrian right of way falls within the proposed private property, do I need to use this form?

A: No, all you need to do is to show the easement on the plat MYLARS and to label it as "Ped.E."

Q: I have a tract of land and I am in the process of plating it and the Pedestrian Right of Way easement is offsite on the private property but it abutts the plat, do I need to use this form to process this Pedestrian offsite easement?

A: Yes, the executed and recorded Pedestrian easement documents could be accepted in one of two ways with the final plat ordinance or with LDD latest process. In case of acceptance of the offsite easement with the final plat ordinance, you need to do the following: Show the recording information on the plat MYLARS, pass a copy of the recorded Pedestrian easement to the Plan Reviewer before the final plat ordinance is drafted and the Plan Reviewer will make sure the easement recording information are indicated in the final plat ordinance. In case of acceptance of the offsite easement with LDD latest process, you need to do the following, pass a copy of the recorded easement to the Plan Reviewer; do not show the recording information on the plat MYLARS and the Plan Reviewer will handle the rest. Note: The Applicant must coordinate with the Plan Reviewer which easement/s and easement releases (do not show these easement releases on

the plat MYLARS) will be processed with the final plat ordinance and which easement/s and easement releases (if the easement release ordinance is going after the final plat ordinance, show the existing easement on the plat (MYLARS) will be processed with LDD process at an early stage of the project and before the final plat ordinance is drafted.

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Section 450

Authorization for entry upon real estate

This authorization for entry upon real estate is used by an entity to authorize the contractor to go upon the private property and to proceed with the construction of a certain public improvement project.

Frequently asked question regarding the authorization for entry upon real estate:

Q: How can I process the authorization for entry upon real estate?

A: The executed and recorded authorization for entry upon real estate documents could be accepted in one of two ways with the final plat ordinance or with LDD latest process. In case of acceptance of the authorization for entry upon real estate with the final plat ordinance, you need to do the following: Do not show the recording information on the plat MYLARS (because this is only an authorization for entry upon real estate for construction), pass a copy of the recorded authorization for entry upon real estate form to the Plan Reviewer before the final plat ordinance is drafted and the Plan Reviewer will make sure the easement recording information are indicated in the final plat ordinance. In case of acceptance of the authorization for entry upon real estate with LDD latest process, you need to do the following, pass a copy of the recorded easement to the Plan Reviewer; do not show the recording information on the plat MYLARS and the Plan Reviewer will handle the rest. Note: The Applicant must coordinate with the Plan Reviewer which authorization for entry upon real estate will be processed with the final plat ordinance and which authorization for entry upon real estate will be processed with LDD process at an early stage of the project and before the final plat ordinance is drafted.

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Section 455

Temporary Cul-De-Sac Easement

This easement is used by an entity to grant the City a temporary cul-de-sac easement for road right-of-way, in connection with the proposed construction project.

Note: This easement will terminate upon completion of future improvements which extend the road and acceptance of those improvements by the Director of City Planning Department.

Frequently asked questions on the temporary cul-de-sac easement:

Q: Do I need to fill the form for the temporary cul-de-sac easement, if the cul-de-sac is located within the platted site.

A: No, all you need to do is to show and label it on the plat MYLARS.

Q: How can I process the offsite temporary cul-de-sac easement?

A: The executed and recorded easement documents could be accepted in one of two ways with the final plat ordinance or with LDD latest process. In case of acceptance of temporary cul-de-sac easement with the final plat ordinance, you need to do the following: Show the recording information on the plat MYLARS, pass a copy of the recorded easement to the Plan Reviewer before the final plat ordinance is drafted and the Plan Reviewer will make sure the easement recording information are indicated in the final plat ordinance. In case of acceptance of the temporary cul-de-sac easement with LDD latest process, you need to do the following, pass a copy of the recorded easement to the Plan Reviewer; do not show the recording information on the plat MYLARS and the Plan Reviewer will handle the rest. Note: The Applicant must coordinate with the Plan Reviewer which easement/s and easement releases (do not show these easement releases on the plat MYLARS) will be processed with the final plat ordinance and which easement/s and easement releases (if the easement release ordinance is going after the final plat ordinance, show the existing easement on the plat (MYLARS) will be processed with LDD process at an early stage of the project and before the final plat ordinance is drafted.

Q: How wide should the temporary cul-de-sac easement be?

A: The Designer must decide the width of the temporary cul-de-sac easement which is designed according to CH. 88-405-10-C. CUL-DE-SACS OF Ordinance 081033.

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Section 460

Easement for water main and Appurtenances

This easement is used by an entity to grant to the City a permanent easement or right of way for the location, construction, reconstruction, maintenance, and repair of a water main and any and all appurtenances.

Frequently asked questions on offsite Permanent Easement for water main and Appurtenances:

Q: How can I process an offsite Permanent Easement for water main and Appurtenances?

A: The executed and recorded easement documents must be submitted and processed by WSD.

Q: How wide should the offsite Permanent Easement for water main and Appurtenances be?

A: The Designer must coordinate the width of the offsite Permanent Easement for water main and Appurtenances with WSD engineers. Also, for more information visit the following web site <http://www.kcmo.org/idc/groups/aviation/documents/waterservices/procedures.pdf>

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Section 465

Conveyance of Easement for Stream Buffers

This easement is used by an entity to grant to the City an easement for the location, construction, reconstruction, maintenance, preservation, operation and repair of stream buffer zones for the protection of storm water runoff quality, stream preservation, flood control, and any and all authorized improvements and appurtenances incidental thereto as allowed by the City's Stream Buffer Ordinance.

Frequently asked questions on Conveyance of Easement for Stream Buffer:

Q: I have a piece of land and I am required to provide Stream Buffer zones for my project, how can I document the Stream Buffer perpetual maintenance?

A: The Stream Buffer perpetual maintenance can be documented in one of two ways, for single lot use the Stream Buffer easement, for multiple lots use the covenant to maintain agreement and make sure to show the protected Stream Buffer in a tract(if plating is required show the recording information on the plat). Check with the Plan Reviewer in regard to the latest version of the Stream Buffer covenant to maintain agreement for a tract.

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Section 470

Conveyance of Easement for BMPs

This easement is used by an entity to grant to the City an easement for the location, construction, reconstruction, maintenance, preservation, operation and repair of Best Management Practices (BMPs) for treatment of storm drainage runoff and any and all improvements and appurtenances incidental thereto.

Frequently asked questions on Conveyance of Easement for BMPs:

Q: I have a tract of land and I am in the process of plating it and the Conveyance of Easement for BMPs falls within the limits of the plat, do I need to use this form?

A: Yes, this document acts as an agreement between the developer and the City.

Q: To what extent does the BMP easement encumber the property?

A: The BMP easement is not like KCP&L easement or any other quasi government easement because the BMP facility is owned by you. Therefore, you can relocate the facility or modify the facility but you have to go through LDD to make sure the proposed facility is equivalent to the old facility and it is going to function as intended.

Q: How can I process the Conveyance of Easement for BMPs?

A: The executed and recorded easement documents could be accepted in one of two ways with the final plat ordinance or with LDD latest process. In case of acceptance of Conveyance of Easement for BMPs with the final plat ordinance, you need to do the following: Show the recording information on the plat MYLARS, pass a copy of the recorded easement to the Plan Reviewer before the final plat ordinance is drafted and the Plan Reviewer will make sure the easement recording information are indicated in the final plat ordinance. In case of acceptance of the Conveyance of Easement for BMPs with LDD latest process, you need to do the following, pass a copy of the recorded easement to the Plan Reviewer; do not show the recording information on the plat MYLARS and the Plan Reviewer will handle the rest. Note: The Applicant must coordinate with the Plan Reviewer which easement/s and easement releases (do not show these easement releases on the plat MYLARS) will be processed with the final plat ordinance and which easement/s and easement releases (if the easement release ordinance is going after the final plat ordinance, show the existing easement on the plat (MYLARS) will be processed with LDD process at an early stage of the project and before the final plat ordinance is drafted.

Q: Can I use this document if the BMPs are located in a public detention basin?

A: No, you need to use the Stormwater Detention & BMPs Covenant to Maintain agreement, see hyperlink below.

<http://www.kcmo.org/CKCMO/Depts/CityPlanningandDevelopment/DevelopmentServices/LandDevelopmentEngineeringStandardAgreementsRelatedDocuments/index.htm>

Q: Can I use this document if the BMPs are located in the Private Open Space?

A: No, you need to use Private Open Space & BMPs Covenant to Maintain agreement, ask the Plan Reviewer for an electronic copy.

<http://www.kcmo.org/CKCMO/Depts/CityPlanningandDevelopment/DevelopmentManagement/ZoningInformationBulletins/index.htm>

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Section 480

Conveyance of Surface Drainage Easement

This easement is used by an entity to grant to the City a surface drainage easement for the 1% (100 – year) storm event surface drainage swales for the location, construction, reconstruction, maintenance, preservation, operation, and repair of surface grades and grading of land contours for conveyance of storm drainage runoff and any and all improvements and appurtenances incidental. Frequently asked questions on Conveyance of Surface Drainage Easement:

Q: I have a tract of land and I am in the process of plating it and the Surface drainage Easement falls within the limits of the plat, do I need to use this form?

A: Yes, this document acts as an agreement between the Developer and the City.

Q: How can I process an offsite Surface Drainage Easement which abutting the property?

A: The executed and recorded easement documents could be accepted in one of two ways with the final plat ordinance or with LDD latest process. In case of acceptance of the Surface Drainage Easement with the final plat ordinance, you need to do the following: Show the recording information on the plat MYLARS, pass a copy of the recorded easement to the Plan Reviewer before the final plat ordinance is drafted and the Plan Reviewer will make sure the easement recording information are indicated in the final plat ordinance. In case of acceptance of the Surface Drainage Easement with LDD latest process, you need to do the following, pass a copy of the recorded easement to the Plan Reviewer; do not show the recording information on the plat MYLARS and the Plan Reviewer will handle the rest. Note: The Applicant must coordinate with the Plan Reviewer which easement/s and easement releases (do not show these easement releases on the plat MYLARS) will be processed with the final plat ordinance and which easement/s and easement releases (if the easement release ordinance is going after the final plat ordinance, show the existing easement on the plat (MYLARS) will be processed with LDD process at an early stage of the project and before the final plat ordinance is drafted.

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Section 485

Aviation and Noise Easement

This easement is used by an entity to grant, bargain, sell, convey and confirm unto the City, a Municipal Corporation, its successors and assigns forever, a perpetual public use easement or right-of-way for the free and unobstructed passage and effect of the flight of aircraft such as “noise”, of whatever ownership and whether now known or hereafter used for navigation of or flight in the air, in, through, over and across the airspace.

Frequently asked questions on Aviation and Noise Easement:

Q: How can I process the Aviation and Noise Easement?

A: The executed and recorded easement document must be turned in to the Plat reviewer for the project and it will be accepted with the final plat ordinance.

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Section 486

Agreement for Noise Disclosure

Section 490

Access Easement

This easement is used by an entity to give the City a permanent public access easement to adjacent properties, for the right of ingress and egress and travel along any street or drive for the purpose of fire and police protection, collection of garbage and refuse and to the United States Postal Services for the delivery of mail.

Note: This easement doesn't have a termination limit.

Frequently asked questions regarding the access easement:

Q: How can I process the access easement?

A: The executed and recorded easement documents could be accepted in one of two ways with the final plat ordinance or with LDD latest process. In case of acceptance of the access easement with the final plat ordinance, you need to do the following: Show the recording information on the plat MYLARS, pass a copy of the recorded easement to the Plan Reviewer before the final plat ordinance is drafted and the Plan Reviewer will make sure the easement recording information are indicated in the final plat ordinance. In case of acceptance of access easement with LDD latest process, you need to do the following, pass a copy of the recorded easement to the Plan Reviewer; do not show the recording information on the plat MYLARS and the Plan Reviewer will handle the rest. Note: The Applicant must coordinate with the Plan Reviewer which easement/s and easement releases (do not show these easement releases on the plat MYLARS) will be processed with the final plat ordinance and which easement/s and easement releases (if the easement release ordinance is going after the final plat ordinance, show the existing easement on the plat (MYLARS) will be processed with LDD process at an early stage of the project and before the final plat ordinance is drafted.

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Section 495

Public Use Access Trail Easement

This easement is used by an entity to grant to the City a perpetual easement upon the protected property which hereby imposes the restrictions set forth herein to govern the ownership, use and maintenance of the protected property.

Frequently asked questions on Conveyance of Easement for Tree Preservation and multi-purpose Trail Easement:

Q: I have a tract of land and I am in the process of plating it and the Tree Preservation and multi-purpose Trail Easement falls within the limits of the plat, do I need to use this form?

A: Yes, this document acts as an agreement between the developer and the City.

Q: How can I process the Tree Preservation and multi-purpose Trail Easement?

A: The executed and recorded easement documents could be accepted in one of two ways with the final plat ordinance or with LDD latest process. In case of acceptance of Tree Preservation and multi-purpose Trail Easement with the final plat ordinance, you need to do the following: Show the recording information on the plat MYLARS, pass a copy of the recorded easement to the Plan Reviewer before the final plat ordinance is drafted and the Plan Reviewer will make sure the easement recording information are indicated in the final plat ordinance. In case of acceptance of the Tree Preservation and multi-purpose Trail Easement with LDD latest process, you need to do the following, pass a copy of the recorded easement to the Plan Reviewer; do not show the

recording information on the plat MYLARS and the Plan Reviewer will handle the rest. Note: The Applicant must coordinate with the Plan Reviewer which easement/s and easement releases (do not show these easement releases on the plat MYLARS) will be processed with the final plat ordinance and which easement/s and easement releases (if the easement release ordinance is going after the final plat ordinance, show the existing easement on the plat (MYLARS) will be processed with LDD process at an early stage of the project and before the final plat ordinance is drafted.

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Section 500

Quitclaims

Section 505

[Quitclaim from the City](#)

This document is used by the City to convey a parcel or a tract of land situated in Kansas City to another entity by means of releasing any legal claim they may have on the subject property.

Frequently asked question regarding the quitclaim from the City:

Q: How will the City process the quitclaim deed?

A: A separate ordinance will be used to get the City Council approval. Then, the Director of Public Works will sign “quitclaim from the City” and the City Clerk will record it at the appropriate County. The citizen may acquire a copy from the City Clerk office at City Hall 25th Floor after recording the “quit claim from the City” at the County.

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Section 510

[Quitclaim to the City](#)

This document is used by an entity the (Grantor) to convey a parcel or a tract of land situated in Kansas City to the City by means of releasing any legal claim they may have on the subject property.

Frequently asked question regarding the quitclaim to the City:

Q: How can I process the quitclaim deed?

A: The executed and recorded quitclaim deed documents could be accepted in one of two ways with the final plat ordinance or with LDD latest process. In case of acceptance of quitclaim deed with the final plat ordinance, you need to do the following: Show the recording information on the plat MYLARS, pass a copy of the recorded quitclaim deed to the Plan Reviewer before the final plat ordinance is drafted and the Plan Reviewer will make sure the quitclaim deed recording information

are indicated in the final plat ordinance. In case of acceptance of quitclaim deed with LDD latest process, you need to do the following, pass a copy of the recorded quitclaim deed to the Plan Reviewer; do not show the recording information on the plat MYLARS and the Plan Reviewer will handle the rest. Note: The Applicant must coordinate with the Plan Reviewer which easement/s and easement releases (do not show these easement releases on the plat MYLARS) will be processed with the final plat ordinance and which easement/s and easement releases (if the easement release ordinance is going after the final plat ordinance, show the existing easement on the plat (MYLARS) will be processed with LDD process at an early stage of the project and before the final plat ordinance is drafted.

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Section 600

Common terms:

For easements, the grantor is the party who is signing/granting the easement to the grantee.

For easements, the grantee is the party who is receiving the easement, which is typically the City.

For quit-claim deeds the grantor is the party who is signing/granting a parcel or a tract of land to the grantee.

For quit-claim deeds the grantee is the party who is receiving the parcel or a tract of land.

Possessory means ownership will be changed (lawfully seized of an indefeasible estate in fee in the premises herein conveyed), when the quit-claim deeds are signed, notarized, recorded at the County and accepted by the Grantee. The Grantor no longer owns the parcel, tract etc.

Non-possessory means no ownership will be changed (no estate will be seized nor conveyed).

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Section 700

Abbreviations:

CPD - City Planning Department.

WSD - Water Services Department

PWD - Public Works Department

The City - The City of Kansas City, Missouri

LAW – Law Department

LDD - Land Development Division.

Legend:

U/E – Standard Utility Easement

D/E – Storm Drainage Easement (storm sewer)

S/E – Standard Sewer Easement (sanitary sewer)

W/E - Water Easement

G/E - Grading Easement (applicable only to easement indicated in Section 435 of this document).

P.O.S.E. – Private Open Space Easement

Ped.E. – Pedestrian Right of Way Easement
S.D.E. – Surface Drainage Easement
S.B.E. – Stream Buffer Easement
B.M.P.E. – Best Management Practices Easement

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Disclaimer

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Questions about easements are directed to the engineer at (816) 513-2551.

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